



Order Filed on July 8, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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Attorneys for: NewRez LLC d/b/a Shellpoint
Mortgage Servicing

In Re:
Ricardo Gomez aka Ricardo Gomez-Sanchez
Lidia E. Gomez aka Lidia E Marte aka Lidia
Esther Gomez aka Lidia Marte aka Lidia Esther
Marte aka Lidia Gomez
Debtor

Case Number: 20-22489-MBK

Judge: Michael B. Kaplan

Hearing Date(s): June 12, 2024 at 09:00 a.m.

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: July 8, 2024

A handwritten signature in black ink, appearing to read "Michael B. Kaplan", is written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

Applicant: NewRez LLC d/b/a Shellpoint Mortgage Servicing c/o

Applicant's Counsel: Steven Kelly

Debtor's Counsel: Edward Hanratty

Property Involved ("Collateral"): 57 Forrest Avenue, Sayreville, NJ 08872

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for **1** months, from **06/01/2024** to **06/01/2024**.

☒ The Debtor is overdue for **1** payments at **\$2,148.55** per month.

☐ The Debtor is assessed for ____ late charges at \$_____ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$_____ received after the motion was filed.

Total Arrearages Due **\$2,148.55**

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of **\$2,148.55**. Payment shall be made no later

than **06/30/2024**.

☒ Beginning on **07/01/2024**, regular monthly mortgage payments shall continue to be made in the amount of **\$2,148.55**, or as adjusted by any timely filed Notice of Mortgage Payment Change in accordance with Fed. R. Bankr. P. 3002.1(b).

☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$_____ for _____ months.

☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: **NewRez LLC d/b/a Shellpoint Mortgage Servicing**
P.O. Box 650840
Dallas, TX 75265-0840

☒ Regular monthly payment: **NewRez LLC d/b/a Shellpoint Mortgage Servicing**
P.O. Box 650840
Dallas, TX 75265-0840

☐ Monthly cure payment: _____

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys' fees of \$1,050.00, and costs of \$199.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

Rev.8/1/15